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VIA ECF

Hon. Lorna G. Schofield
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

December 6, 2016

United States v. Carlos ZAVALA VELASQUEZ, et al.
15 Cr. 174 (LGS)

Dear Judge Schofield:

I am the attorney of record representing Mr. Zavala Velasquez in this matter. I submit this letter for the purpose of requesting an extension of time by which we are to file defense motions on behalf of all our clients. We are currently scheduled to do so by December 12, 2016. (Docket entry #75).

The government consents to a two-month adjournment.

The principle reason why this additional time is necessary is because our review of the discovery materials is not yet complete. This is particularly true for Linda George, Esq., who represents codefendant Juan Avila Mesa, and myself, since we only entered the case relatively recently.

Further, during recent conversations with co-counsel regarding discovery, it has only now become apparent that I have yet to obtain a substantial amount of discovery from the government. The Court should be aware that this is not the fault of the government. In also speaking with prior counsel for my client, it appears that there was some confusion regarding the format in which she was to receive this additional material. Consequently, she advises that she provided the government with a USB flash-drive rather than an external hard-drive. This error, and its significance, has only just now come to my attention. I myself should have caught the mistake, and I can only apologize for failing to do so previously.

My understanding is that the additional discovery comprises some 128GB of data, and includes thousands of pages of documents, cell-phone records,

emails, text messages, video recordings, audio recordings and the like. The material is not, I am told, organized in an easily digestible fashion, and resides within files within folders, not in any obvious or chronological order. I am told that some of the material dates back to 2007. I am also told that other counsel have experienced difficulty in opening a number of these files, and/or locating files that have been pointed up for them.

I cannot know what to make of any of this material until I have reviewed it with my client, and therefore cannot know what motions, if any, this review might require me to make on his behalf.

The Court will also recall that there is a defendant who has yet to appear — Ludwig Kriss Zelaya Romero. His appeal to the Honduran Supreme Court contesting his extradition to the United States was recently rejected, and it is our understanding that he will be brought into the District in very short order. Accordingly, it would seem to be in the interests of judicial economy also to adjust the motion schedule to accommodate the impending arrival of the last defendant in this matter, rather than have multiple motion schedules.

Finally, in light of the upcoming Holiday Season, it will very difficult for us to review the materials with our clients, who are all incarcerated, during the second half of December.

For all these reasons, we believe that the two-month request is both necessary and reasonable and thank the Court for its kind consideration of these matters.

We look forward to appearing before the Court for the status conference on December 15, 2016 at 10:30am.

Respectfully submitted,



HOWARD LEADER

cc: Emil Bove, Esq.

Assistant United States Attorney

(VIA EMAIL AND ECF)

All counsel of record

(VIA ECF)